

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROGER L. LYLE,

Plaintiff,

vs.

Case No. 04-CV-72684
HON. GEORGE CARAM STEEH

FRANK OLNEY, DAVID
JAMROG, PATRICIA CARUSO,
et al.,

Defendants.

/

ORDER DENYING MOTION TO COMPEL [DOCUMENT 38] AND MOTION FOR
RELIEF FROM JUDGMENT [DOCUMENT 41]

Plaintiff Roger L. Lyle is an inmate in the custody of the Michigan Department of Corrections. His complaint raised a number of claims under 42 U.S.C. § 1983. On August 24, 2004, this Court entered an order of partial dismissal [document 2], dismissing several defendants for failure to state a claim upon which relief may be granted. On September 3, 2004 plaintiff filed a motion for reconsideration and reinstatement of all dismissed defendants [document 5]. On January 6, 2005, this Court considered and denied plaintiff's motion for reconsideration and reinstatement. On September 26, 2005, plaintiff filed a Rule 60(b) motion for relief from judgment [document 41] relating to the Court's partial order of dismissal and denial of reconsideration thereof. For the same reasons that the motion for reconsideration was denied, and because the Court does not find any reason to grant relief from judgment, plaintiff's Rule 60(b) motion is DENIED.

On February 14, 2005 plaintiff filed a motion for leave to amend complaint to add

additional defendants, including Swintec Corporation and Jackson Community College [document 26]. This motion was denied by the Magistrate Judge on March 31, 2005 [document 35]. Plaintiff then filed a motion to compel Swintec Corporation and Jackson Community College to produce relevant documents on June 8, 2005 [document 38]. Because all of the remaining claims were subsequently dismissed, plaintiff's motion to compel was rendered MOOT.

It is so ordered.

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: January 26, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on January 26, 2006, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk